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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,890	12/18/2001	Michael J. Kinnavy	29250/CE08262R	5191

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EXAMINER

SMITH, SHEILA B

ART UNIT PAPER NUMBER

2681

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/024,890	KINNAVY, MICHAEL J.	
	Examiner	Art Unit	
	Sheila B. Smith	2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-33 is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6,8-11 rejected under 35 U.S.C. 102(e) as being anticipated by Tiedemann, Jr. et al. (U. S. Patent Number 5,642,398).

Regarding claim 1, Tiedemann, Jr. et al. discloses essentially all the claimed invention as set fourth in the instant application, further Tiedemann, Jr. et al. discloses comprehensive mobile communications device registration method. In addition Tiedemann, Jr. et al. discloses a wireless communication system, the communication system providing communication service to a mobile station, wherein the mobile station monitors for transmission from a base station via a communication resource based on an operating slot cycle index corresponding to an operating slot cycle, a method for enabling a preferred slot cycle (which reads on the abstract), the method comprising receiving control information associated with slot cycles operable by the base station (which reads on column 8 lines 17-35); adjusting the operating slot cycle index to a

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preferred slot cycle index in response to a trigger event (which reads on modulation schemes column 8 lines 45-53), the preferred slot cycle index corresponding to a preferred slot cycle; and transmitting the preferred slot cycle index to the base station so that the mobile station is in communication with the base station via the communication resource during a slot (which reads on column 8 lines 45-53), the slot reoccurring based on the preferred slot cycle (which reads on column 9 lines 27-55), wherein the preferred slot cycle is one of the slot cycles operable by the base station (which reads on column 9 lines 1-11).

Regarding claim 2, Tiedemann, Jr. et al. discloses everything claimed, as applied above (see claim 1) additionally, Tiedemann, Jr. et al. discloses the step of adjusting the operating slot cycle index to a preferred slot cycle index comprises adjusting the operating slot cycle index to a preferred slot cycle index being greater than the operating slot cycle index such that the preferred slot cycle is longer than the operating slot cycle (which reads on column 8 lines 17-62).

Regarding claim 3, Tiedemann, Jr. et al. discloses everything claimed, as applied above (see claim 1) additionally, Tiedemann, Jr. et al. discloses adjusting the operating slot cycle index to a preferred slot cycle index comprises adjusting the operating slot cycle index to a preferred slot cycle index being less than the operating slot cycle index such that the preferred slot cycle is shorter than the operating slot cycle (which reads on column 8 lines 17-62).

Regarding claim 4, Tiedemann, Jr. et al. discloses everything claimed, as applied above (see claim 1) additionally, Tiedemann, Jr. et al. discloses adjusting the operating slot cycle index to a preferred slot cycle index in response to a trigger event comprises adjusting the operating slot cycle index to the preferred slot cycle index in response to a user-selectable input,

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a voice input, and an operating characteristic associated with the mobile station (which reads on column 8 lines 17-62).

Regarding claim 5, Tiedemann, Jr. et al. discloses everything claimed, as applied above (see claim 1) additionally, Tiedemann, Jr. et al. discloses adjusting the operating slot cycle index to a preferred slot cycle index in response to a trigger event comprises adjusting the operating slot cycle index to a preferred slot cycle index in response to the mobile station being at a battery power threshold (which reads on column 8 lines 17-62).

Regarding claim 6, Tiedemann, Jr. et al. discloses everything claimed, as applied above (see claim 1) additionally, Tiedemann, Jr. et al. discloses adjusting the operating slot cycle index to a preferred slot cycle index in response to a trigger event comprises adjusting the operating slot cycle index to a preferred slot cycle index in response to the mobile station being idle (which reads on column 8 lines 17-62).

Regarding claim 8, Tiedemann, Jr. et al. discloses everything claimed, as applied above (see claim 1) additionally, Tiedemann, Jr. et al. discloses transmitting the preferred slot cycle index to the base station such that the mobile station is in communication with the base station via the communication resource during a slot comprises transmitting the preferred slot cycle index to the base station so that the mobile station is in communication with the base station via a paging channel during a slot (which reads on column 8 lines 17-62).

Regarding claim 9, Tiedemann, Jr. et al. discloses everything claimed, as applied above (see claim 1) additionally, Tiedemann, Jr. et al. discloses transmitting the preferred slot cycle index to the base station such that the base station is in communication with the mobile station

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during a slot comprises transmitting the preferred slot cycle index to the base station via a registration so that the base station is in communication with the mobile station via the communication resource during a slot (which reads on column 8 lines 17-62).

Regarding claim 10, Tiedemann, Jr. et al. discloses everything claimed, as applied above (see claim 1) additionally, Tiedemann, Jr. et al. discloses transmitting the preferred slot cycle index to the base station such that the base station is in communication with the mobile station during a slot comprises transmitting the preferred slot cycle index to the base station via a n access channel so that the base station is in communication with the mobile station during a slot (which reads on column 8 lines 17-62).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 7, is rejected under 35 U.S.C. 103(a) as being unpatentable over Tiedemann, Jr. et al. in view of Moon et al. (U. S. Patent Number 6,577,608).

JP 10/17/05 **Regarding claims 7, ~~8~~** Tiedemann, Jr. et al. discloses everything claimed, as applied above (see claim 1) additionally, Tiedemann, Jr. et al. discloses the step of adjusting the operating slot cycle index to a preferred slot cycle index in response to a trigger event comprises adjusting the operating slot cycle index to a slot number in response to a trigger event as disclosed in column 5 lines 49-55. However, Henry Jr. et al. fails to specifically disclose a slot

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number including one of zero (0), one (1), two (2), three (3), four (4), five (5), six (6) and seven (7).

In the same field of endeavor, Moon et al. further discloses a communication control device and method for CDMA communication system. In addition Moon et al. discloses a slot number including one of zero (0), one (1), two (2), three (3), four (4), five (5), six (6) and seven (7) as disclosed in column 3 lines 10-15.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to improve Henry Jr. et al. by modifying a comprehensive mobile communications device registration method with the use of a slot number including one of zero (0), one (1), two (2), three (3), four (4), five (5), six (6) and seven (7) as taught by Moon et al. for the purpose of letting the mobile station enter the sleep mode to save power.

Allowable Subject Matter

2. Claims 12-33 are allowed.

Response to Arguments


4. Applicant's arguments with respect to claim 1-33 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheila B. Smith whose telephone number is (571)272-7847. The examiner can normally be reached on Monday-Thursday 6:00 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Smith 
October 16, 2005


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER